

MINUTES
LEGISLATIVE ETHICS COMMITTEE
JUNE 3, 2011 MEETING
{Approved: October 6, 2011}

The Legislative Ethics Committee (RSA 14-B:2) met on Friday, June 3, 2011, at 1:30 P.M. in Room 104 of the Legislative Office Building. The following members were present: Attorney Martin L. Gross, Chairman, Brian M. Quirk, Vice Chairman, Senator Amanda A. Merrill, Senator Fenton Groen, Representative Janet G. Wall, Representative Jordan G. Ulery, and Mr. John F. Quinlan. Also present was the Committee's Executive Administrator, Richard M. Lambert. The Committee's meeting consisted of the following items:

ITEM #1

Consideration and Adoption of *Agenda*.

Representative Wall moved to adopt the proposed *Agenda*. Vice Chairman Quirk seconded the motion and the Committee voted 7 to 0 in favor of the motion.

ITEM #2

Consideration of the draft *Minutes* from the Committee's meeting held on March 18, 2011.

Representative Ulery moved to adopt the *Minutes* as drafted. Vice Chairman Quirk seconded the motion and the Committee voted 6 to 0 in favor of the motion.

ITEM #3

Initial Review of *Complaint #2011-2*.

Representative Ulery moved to enter nonpublic session {pursuant to RSA 14-B:3, I(d)}. Senator Merrill seconded the motion and the Committee voted as follows:

Senator Groen	Yea
Representative Ulery	Yea
Vice Chairman Quirk	Yea
Chairman Gross	Yea
Representative Wall	Yea
Senator Merrill	Yea
Mr. Quinlan	Yea

{MOTION ADOPTED}

{NONPUBLIC SESSION}

Representative Ulery moved to exit nonpublic session. Senator Merrill seconded the motion and the Committee voted as follows:

Senator Groen	Yea
Representative Ulery	Yea
Vice Chairman Quirk	Yea
Chairman Gross	Yea
Representative Wall	Yea
Senator Merrill	Yea
Mr. Quinlan	Yea

{MOTION ADOPTED}

Chairman Gross made the following statement:

"In the nonpublic session, the Committee voted to dismiss *Complaint #2011-2* for reasons that will be made known to the parties, but which remain confidential in accordance with our statute."

ITEM #4

New/Other Business.

a) Discussion of the status of a request to post Declaration of Intent filings on the Committee's website.

Chairman Gross said that he and Mr. Lambert had a discussion of the status of the request that the Committee had reviewed at its last meeting {see Item #6(c) of the March 18, 2011 *Minutes*}. He asked Mr. Lambert if it were true that the suggestion originally came from a Senator.

Mr. Lambert replied that it had.

Chairman Gross said: "And Rich reviewed it preliminarily and reviewed it with us and, I believe, our sentiment was 'let's do that, see if it can be done as a pilot project with the Senate,' and there's some technical issues with getting access to the documents and putting them on line because right now they are only kept in paper form in the Senate Clerk's Office. And so Rich has been reviewing this matter...with General Court Information Systems to see how this stuff could be posted on our website. And has it changed from the other day?"

Mr. Lambert said it had not.

Chairman Gross said: "We have not been able to get attention paid to the technical issues that are involved here. So we're kind of dead in the water. I don't know what the problem is. If you would like me to pursue it, I will. I'll be glad to go ask any questions that you think should be asked. But right now I'm baffled other than ... that it could be that technical services is overwhelmed with a lot of other demands."

Representative Ulery asked: "May I recommend to the Chair that he contact the speaker and the president and make the concerns known directly to those 2 individuals and ask them to intercede on behalf of the Committee?"

Chairman Gross asked if the other Committee members agreed with Representative Ulery's recommendation. {The Committee indicated agreement.}

Mr. Lambert said: "Mr. Chairman, as you and I discussed, I sent an email to Jay Flanders, the Senate Chief of Staff, Tuesday morning {May 31, 2011} and I included 2 attachments. One was the memo I provided this Committee which summarized the Senate Informational Session, and the other was the part of the *Minutes* where the Committee discussed this, and I saw that Jay had read it. But he has been incredibly busy this week with 2 Senate sessions and a Senate Informational Session on the budget, so I think it's just that he's been too busy to get back to me."

Chairman Gross: "Well, based on that, let me suggest to the Committee that if we aren't able to get any information on this by the end of next week I would be prepared to write to the speaker and the president inquiring about the status of this."

Senator Groen said "that would be good timing because things will be winding down but they won't yet have left."

Senator Merrill suggested that she and Senator Groen "could also check with Jay."

Senator Groen agreed.

Representative Wall said agreed with the Senator Merrill's suggestion, calling it "a good idea."

Chairman Gross asked Senators Groen and Merrill to let him know what happens.

b) Discussion of a suggestion by Representative Ulery to consider a methodology or statutory or rules change that would speed up the process of hearing complaints.

Representative Ulery noted the length of time that transpired between the filing of a recent complaint and the initial review of it and suggested that the Committee should consider some phraseology in the rules that would say an initial review should occur no later than a specified time after the copy of the complaint has been sent by the Committee to the respondent and responded to.

Chairman Gross spoke to the difficulty sometimes of scheduling meetings, especially during legislative sessions, when every member – not just a quorum -- can attend, which he said was his preference.

After further brief discussion, the Committee agreed to try to meet more promptly to conduct its initial reviews of complaints.

c) Discussion of a suggestion from Representative Wall for the Committee to send a letter of condolence to Mrs. Dorothy Peterson on the passing of former Governor Walter Peterson.

Representative Wall said: "I wonder if its appropriate – and I hope it is – that we ask you, as our chairman, to send a letter of condolence to the Peterson family. At one point, former Governor Peterson served this Committee very, very well in a very unusual capacity acting to mediate one of our cases. And he handled it skillfully, confidentially, in a timely fashion, and with great integrity. And to have an individual like that be willing to help this Committee in a situation that had the potential to be very uncomfortable, we were very fortunate. And I would ask if that is appropriate, to thank his family for the kind of service this gentleman gave us."

Representative Ulery seconded the motion to write such a letter, and the Committee voted 7 to 0 in favor of the motion.

The Committee's meeting adjourned at approximately 2:10 P.M. The Committee's next meeting will be at the call of the Chair.

{Prepared by: Richard M. Lambert, Executive Administrator}